United Nations S/2008/44

Security Council

Distr.: General
25 January 2008

Original: English

Letter dated 22 January 2008 from the Secretary-General to the President of the Security Council

I attach for your attention a letter dated 14 January 2008 from Judge Fausto Pocar, President of the International Tribunal for the Former Yugoslavia (see annex). President Pocar refers to his earlier letter of 12 December 2007, which was circulated to the members of the Security Council under cover of my letter of 31 December 2007 (S/2007/788).

President Pocar asks that the Security Council authorize the appointment of additional ad litem judges as requested in his letter of 12 December 2007, but not limited to the specific cases identified, and without specifying a strict time limit by which the number of ad litem judges must return to the maximum of 12 set out in article 12 (1) of the statute of the International Tribunal. President Pocar's office has contacted the Office of Legal Affairs to indicate that he would be willing to come to New York to assist the members of the Security Council with further information in this matter if that were considered helpful.

I would be grateful if you could draw the letter of President Pocar to the attention of the members of the Security Council. As President Pocar indicates that the authorization he requests is necessary for him to be able to pursue the completion strategy of the International Tribunal effectively, I would be grateful if the Security Council could take this matter up at the earliest opportunity.

(*Signed*) **Ban** Ki-moon

08-21837 (E) 250108

Annex

Letter dated 14 January 2008 from the President of the International Tribunal for the Former Yugoslavia to the Secretary-General

I refer to my letter of 12 December 2007, which was circulated to members of the Security Council under cover of your letter to the President of the Security Council dated 31 December 2007 (S/2007/788). In that letter I had the honour of referring to the 116th plenary meeting of the fifty-ninth session of the General Assembly, on 24 August 2005, during which 27 ad litem judges of the International Tribunal for the Former Yugoslavia were elected for a term of four years. Pursuant to Security Council resolution 1329 (2000), I requested the appointment of two ad litem judges to enable the Tribunal to start conducting a new and eighth trial in February 2008 in case No. IT-03-69-T, *Prosecutor v. Stanisić and Simatović*. I further advised that I would request the appointment of two new ad litem judges in order to start trial in the case No. IT-06-90-T, *Prosecutor v. Gotovina et al.*, following the close of the trial in *Prosecutor v. Haradinaj et al.*, foreseen for the end of February 2008.

In advising of these forthcoming appointments, which are necessary to achieve our objectives within the completion strategy and to ensure the right to a fair and expeditious trial, I noted that these requests would amount to a temporary increase of the number of ad litem judges from the maximum of 12 at any one time, as established by article 12 (1) of the statute of the International Tribunal. I further advised that, should you be willing to seek an authorization from the Security Council for the assignment of these additional ad litem judges, the number of ad litem judges would most likely return to the statutory maximum of 12 by September 2008, when the close of the Tribunal's first multi-accused case is scheduled.

I am grateful to you for drawing this matter to the attention of the members of the Security Council and understand that they will shortly begin consideration of a draft resolution to permit a temporary deviation from the statutory limit of 12 ad litem judges to allow the Tribunal to commence additional trials.

As you will recall, in explaining the necessity of assigning additional ad litem judges in my letter of 12 December 2007, I was specific in identifying the details regarding which trials were anticipated to be ready to commence. However, in order to pursue the International Tribunal's completion strategy effectively, I will need a degree of flexibility in the appointment of ad litem judges to the Chambers, in relation to times and cases. I would be grateful if any resolution to be considered by the Security Council could be presented in terms which are not limited to the specific cases and dates identified in my letter of 12 December 2007, and which do not specify a strict time limit by which the number of ad litem judges would return to the statutory maximum of 12. This will avoid the situation of not being able to assign the additional ad litem judges to another case should the currently anticipated cases be delayed because of unforeseen circumstances.

(*Signed*) Fausto **Pocar**
President

United Nations S/2008/45

Security Council

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25 January 2008

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Report of the Secretary-General on the status and progress of the negotiations on Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1783 (2007), by which the Council called upon the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to engage in substantive negotiations, thus ensuring implementation of resolution 1754 (2007) and the success of negotiations. The Council also called upon the parties to continue negotiations under my auspices, without preconditions and in good faith, taking into account the efforts made since 2006 and developments of the past months, with a view to achieving a just, lasting and mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in that respect. In the same resolution, the Council requested me to provide a report by 31 January 2008 on the status and progress of the negotiations under my auspices, and expressed its intention to meet to receive and discuss the report. The present report covers developments since the issuance of my report dated 19 October 2007 (S/2007/619).

II. Status and progress of the negotiations

2. Pursuant to Security Council resolution 1783 (2007), in letters dated 4 December 2007, I invited the parties, Morocco and the Frente Polisario para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), to send delegations to a meeting to be facilitated by my Personal Envoy, Peter van Walsum, at the Greentree Estate in Manhasset, New York, from 7 to 9 January 2008. In my letters, it was specified that the discussions would be private and that the purpose of the meeting was to continue the process of negotiations started with the meetings held in Manhasset on 18 and 19 June 2007 and on 10 and 11 August 2007. In similar letters, I invited Algeria and Mauritania to attend the Manhasset meeting as neighbouring countries.

3. The meeting was held at the Greentree Estate from 7 to 9 January 2008, as planned. The parties held separate meetings with my Personal Envoy, as well as several sessions of face-to-face discussions. Representatives of the neighbouring

08-21409 (E) 280108

countries, Algeria and Mauritania, were present at the opening and closing sessions and were consulted separately during the meeting.

4. In opening the meeting, my Personal Envoy underlined that the Security Council expected the parties to negotiate in good faith and show political will in order to enter into substantive discussions and ensure the success of the negotiations. During the opening session and subsequent discussions, the parties reiterated their commitment to the process of negotiations and to the implementation of Security Council resolutions 1754 (2007) and 1783 (2007). Nevertheless, their stated positions remained far apart on ways to achieve a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. As a result, although the parties dynamically interacted with each other, there was hardly any exchange that could be characterized as negotiations.

5. During the meeting, the parties engaged in an extensive exchange of views with regard to the implementation of Security Council resolutions 1754 (2007) and 1783 (2007). In addition, as already announced in my report to the Security Council of 19 October 2007 (S/2007/619), the matter of confidence-building measures was included on the agenda in order to obtain greater clarity as to the positions of the parties on existing or additional measures, as well as on the appropriate forum for discussing such measures. The parties also participated in discussions on thematic subjects related to administration: competences and organs. Although the parties adequately replied to queries raised by my Personal Envoy, seeking clarifications on their respective proposals relative to those thematic subjects, and in a certain measure interacted with each other, they did not examine specific elements included in each other's proposals.

6. With regard to the way forward in the process, I am pleased to inform the Council that, during the meeting, the parties welcomed the intention of my Personal Envoy to visit the region shortly afterwards for in-depth consultations, and agreed to convene again from 11 to 13 March 2008 at the Greentree Estate, New York, for a fourth round of talks.

7. At the end of the meeting, the parties agreed to the communiqué of my Personal Envoy, contained in the annex to the present report, in which they reiterated their commitment to show political will and negotiate in good faith, as called for by the Security Council, and agreed on the need to move the process into a more intensive and substantive phase of negotiations.

Annex

[Original: English and French]

Communiqué of the Personal Envoy of the Secretary-General for Western Sahara (in agreement with the parties), Greentree Estate, 9 January 2008

Representatives of Morocco and the Frente Polisario met under United Nations auspices at the Greentree Estate on 8 and 9 January 2008, in continuation of their discussions aimed at finding a mutually acceptable solution to the impasse in the conflict on Western Sahara. As was the case in the previous rounds of talks, representatives of the neighbouring countries, Algeria and Mauritania, were also present at the opening and closing sessions and were consulted separately during the talks.

The discussions focused on the implementation of Security Council resolutions 1754 (2007) and 1783 (2007). During the two days of discussions, the parties continued to express strong differences on the fundamental questions at stake. At the same time, the parties reiterated their commitment to show political will and negotiate in good faith, as called for by the Security Council, and agreed on the need to move the process into a more intensive and substantive phase of negotiations.

In addition, the parties discussed but did not agree on confidence-building measures. They also had preliminary discussions on thematic subjects such as administration, competences and organs.

With regard to the next steps in the process, the parties agreed to convene from 11 to 13 March 2008 at the Greentree Estate, New York, for a fourth round of talks. In order to help prepare the groundwork for those discussions, the parties welcomed my intention to visit the region shortly for in-depth consultations.

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General Assembly
Security Council

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28 January 2008
English
Original: Arabic

General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 24 January 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 15 to 21 January 2008 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

08-21912 (E) 280108 280108

Annex to the identical letters dated 24 January 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations, acts of aggression and other activities from 15 to 21 January 2008, inclusive

Air violations

On 15 January 2008, at 2220 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace; it entered over the sea off Naqurah, proceeded as far as Beirut, circled over the areas of Beirut, Damur and the South, and then left at 0100 hours on 16 January 2008 over the sea off Naqurah.

On 17 January 2008:

- Between 0800 and 1130 hours, an Israeli enemy reconnaissance aircraft overflew the Nabatiyah area at high altitude;
- Between 0830 and 1150 hours, Israeli enemy warplanes overflew the areas of Naqurah, Bint Jubayl and Tibnin at high altitude;
- Between 2023 and 2143 hours, two Israeli enemy warplanes violated Lebanese airspace; they entered over Yarun heading north, proceeded as far as Beirut, circled between Beirut and the South, then left over Naqurah.

On 19 January 2008:

- Between 1200 and 1800 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace; it entered over Alma al-Sha`b, circled over the regions of Beirut, the Bekaa and the South, then left over Alma al-Sha`b;
- At 2159 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace; it entered over the sea off Naqurah, circled over the regions of the South, then left at 0055 hours on 20 January 2008 over Alma al-Sha`b.

On 20 January 2008:

- Between 1230 and 1325 hours, Israeli enemy warplanes overflew the Naqurah, Tibnin, Zahrani and Tyre areas at various altitudes, breaking the sound barrier over the Zahrani and Tyre areas;
- Between 1140 and 1300 hours, an Israeli enemy reconnaissance aircraft overflew the areas of Naqurah and Tibnin;
- Between 1855 and 2210 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace; it entered over the sea off Tyre heading east, proceeded as far as Marj `Uyun, circled over the regions of the South, then left over Alma al-Sha`b.

On 21 January 2008:

- Between 1033 and 1300 hours, two Israeli enemy warplanes violated Lebanese airspace; they entered over the sea off Naqurah, circled over all regions of Lebanon, and then left over Kafr Kila. Those planes were met with fire from anti-aircraft artillery of the Lebanese Army (*lam mim* 6);

- Between 1230 and 1315 hours, four Israeli enemy warplanes violated Lebanese airspace; they entered over the sea off Tyre, circled between Beirut and the South, and then left over Naqurah. Those planes were met with fire from anti-aircraft artillery of the Lebanese Army (*lam mim* 6);

- Between 1709 and 2100 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace; it entered over the sea off Tyre heading east, circled over the regions of the South, then left over the sea off Naqurah.

Sea violations

None.

Acts of aggression in the field

On 17 January 2008, at 0320 hours, Israeli enemy forces directed a searchlight mounted on a Hummer vehicle for 15 seconds towards position *lam mim* 6 at Jabal Balat as they were moving between *ghayn* 23 (Birkat Risha) and *ghayn* 33 (Jabal Bu Dajaj).

On 18 January 2008, at 1000 hours, in the Maysat area along the course of the Wazzani River/Hasbayya, an Israeli enemy patrol kidnapped Ja`far Mustafa. At 1850 hours, the Israeli enemy released him in the same area.

On 20 January 2008:

- At 0020 hours, the Israeli enemy shined a searchlight for 5 minutes from its position *ghayn* 41 (Tall al-Rahib) towards the town of Ayta al-Sha`b;

- At 1530 hours, opposite the Ruwaysat al-Hadab position of the Lebanese Army (*lam mim* 6), an Israeli enemy patrol comprising three Hummer vehicles stopped at point BP12, where elements of that patrol alighted and spread out in the woods. A MAG machine-gun was directed from one of those vehicles towards the aforementioned position. The elements of the position increased their level of observation and alertness and took precautionary measures. The enemy elements and vehicles left at 1555, heading towards point *ghayn* 36 west of Khillat Wardah. At 1610 hours, as a truck belonging to the Lebanese Army (*lam mim* 6) passed along the road leading to the centre of Ruwaysat al-Hadab, enemy elements took up a fighting position at point *ghayn* 41 (Tall al-Rahib), pointing their weapons at the aforementioned truck;

- At 1820 hours, an Israeli enemy patrol comprising three Hummer vehicles left point *ghayn* 23 (Birkat Risha). When the said patrol arrived at Tarbikha gate, east of point *ghayn* 28 (south of Marwahin), some of its elements alighted. When those elements left at 1835 hours, they shined the searchlights mounted on their vehicles for 10 seconds towards the Marwahin triangle.

On 21 January 2008:

- At 0459 hours, the Israeli enemy shined a searchlight for one minute from the western gate of the Zar`it barracks (*ghayn* 30) towards the Marwahin triangle;

- At 2249 hours, from inside occupied Palestinian territory, Israeli enemy forces at the Zar`it barracks, opposite the town of Marwahin, directed a searchlight for 10 seconds in the direction of the Marwahin triangle.

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General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Letter dated 24 January 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of the Republic of Cuba, dated 23 January 2008, regarding the recent escalation of aggression by Israel against the Palestinian population, particularly in the Gaza Strip (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Rodrigo Malmierca **Díaz**
Ambassador
Permanent Representative of Cuba to the United Nations

08-21944 (E) 300108 300108

Annex to the letter dated 24 January 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Cuba

The Ministry of Foreign Affairs of the Republic of Cuba has followed with great concern the recent escalation of aggression against the Palestinian population by the Government of Israel, which has led to dozens of deaths and injuries.

The Ministry of Foreign Affairs finds the encirclement of the Gaza Strip and the cutting off of electricity and food supplies to a million and a half Palestinian civilians unacceptable and criminal as well as a flagrant breach of international law and of the 1949 Geneva Conventions.

The Ministry of Foreign Affairs of the Republic of Cuba vigorously condemns these acts by the Government of Israel, which are designed to annihilate and subjugate through starvation and thirst, the Palestinian people, including children, women, the sick and the elderly, who are suffering from the forced and illegal occupation of their territory and are now being subjected to further inhuman collective punishment by the occupying forces.

The Ministry of Foreign Affairs of the Republic of Cuba demands that the Government of Israel should immediately lift the inhumane blockade imposed on the Gaza Strip. It also calls upon the international community to mobilize for the purpose of demanding respect for the inalienable rights of the Palestinian people, including the establishment of an independent and sovereign State with East Jerusalem as its capital, and the unconditional return of the Arab territories occupied since 1967, as the only way to achieve a just and lasting peace for all the peoples in the region.

Havana
23 January 2008

United Nations S/2008/48

Security Council

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28 January 2008

Original: English

Letter dated 28 January 2008 from the Secretary-General to the President of the Security Council

I have the honour to refer to resolution 1779 (2007) concerning the Sudan, adopted by the Security Council on 28 September 2007. The Council decided in paragraph 1 of the resolution to extend until 15 October 2008 the mandate of the Panel of Experts originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006) and 1713 (2006), and requested me to take the necessary administrative measures.

Accordingly, I wish to inform you that I have appointed the following fifth expert to serve on the Panel of Experts until 15 October 2008:

– Patrick Schneider (Germany).

The Panel is now at its full strength of five members. I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-21958 (E) 290108

United Nations S/2008/49

Security Council

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29 January 2008

Original: English

Belgium: draft resolution

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea (hereinafter referred to as "the parties") and the requirements contained therein, including in particular resolutions 1320 (2000), 1430 (2002), 1466 (2003), 1640 (2005), 1681 (2006), 1710 (2006), 1741 (2007) and 1767 (2007),

Stressing once again its unwavering commitment to the peace process, and to the full and expeditious implementation of the Algiers Agreements as a basis for peaceful and cooperative relations between the parties, and *recalling* paragraph 15 of article 4 of the Peace Agreement of 12 December 2000 (S/2000/1183), in which the parties agreed that the delimitation and demarcation determinations of the Eritrea-Ethiopia Boundary Commission (EEBC) shall be final and binding,

Expressing its support for the efforts of the EEBC, *welcoming* once again the acceptance by the parties of the delimitation decision of the EEBC of 3 April 2002, *recalling* that it acknowledged the Statement of the EEBC of 27 November 2006, and *taking note* of the 26th EEBC Report annexed to the Secretary-General 's report of 23 January 2008 (S/2008/40),

Stressing that the physical demarcation of the border between Eritrea and Ethiopia would support a comprehensive and lasting settlement of the dispute between the parties and normalization of their relations,

Expressing its deep concern about the continuing dispute between Ethiopia and Eritrea, and over the continued tense and potentially unstable security situation in the Temporary Security Zone (TSZ) and the adjacent areas, and stressing that it is the primary responsibility of the Parties to end this situation by fulfilling their obligations expeditiously under the Algiers Agreements,

Reaffirming once again the integrity of the TSZ as provided for in paragraphs 12-14 of the Agreement on Cessation of Hostilities of 18 June 2000 (S/2000/601), and *recalling* the objectives of its establishment, in particular to create conditions conducive to a comprehensive and lasting settlement of the conflict, and the commitment of the parties to respect the TSZ,

Underlining that the Security Council remains committed to its role, in particular helping to ensure that the parties respect the commitments they made in the Agreement on Cessation of Hostilities of 18 June 2000 (S/2000/601) and the

08-22264 (E) 300108

Peace Agreement of 12 December 2000 (S/2000/1183), to which the United Nations was one of the witnesses,

Commending the efforts made by the United Nations Mission in Ethiopia and Eritrea (UNMEE) and its military and civilian personnel to accomplish its duties, despite the difficult circumstances,

Having considered the report of the Secretary-General of 23 January 2008 (S/2008/40),

1. *Decides* to extend the mandate of UNMEE for a period of six months, until 31 July 2008;

2. *Reiterates its call* that the parties show maximum restraint and refrain from any threat or use of force against each other, avoid provocative military activities, and put an end to the exchange of hostile statements;

3. *Reiterates its call* on Eritrea and Ethiopia to maintain their full commitment to the Agreement on Cessation of Hostilities, and to de-escalate the situation, including by returning to the 16 December 2004 levels of deployment;

4. *Underlines* that Eritrea and Ethiopia bear the primary responsibility for achieving a comprehensive and lasting settlement of the border dispute and normalizing their relations, *demands* that they take immediately concrete steps in order to complete the process launched by the Peace Agreement of 12 December 2000 (S/2000/1183) by enabling physical demarcation of the border, and *urges* them to normalize their relations;

5. *Reiterates its demands* on Eritrea to withdraw immediately all troops and heavy military equipment from the TSZ, to provide UNMEE with the necessary access, assistance, support and protection required for the performance of its duties and to remove immediately and without preconditions the restrictions on UNMEE;

6. *Reiterates its call* on Ethiopia to reduce the number of military forces in the areas adjacent to the TSZ;

7. *Notes with grave concern* UNMEE's critical fuel levels, *demands* that the government of Eritrea resumes immediately fuel shipments to UNMEE or allows UNMEE to import fuel without restrictions, and requests the Secretary General to keep the Security Council informed of developments;

8. *Reiterates its call* on both parties to fully cooperate with UNMEE with a view to urgently reactivating the work of the Military Coordination Commission which remains a unique forum to discuss pressing military and security issues;

9. *Strongly supports* the ongoing efforts by the Secretary-General and the international community to engage with Eritrea and Ethiopia to help them to normalize their relations, to promote stability between the parties, and to lay the foundation for a comprehensive and lasting settlement of the dispute, and *urges* the parties to accept the Secretary General's good offices;

10. *Welcomes* the ongoing efforts by the Secretary-General towards the earliest appointment of a Special Representative;

11. *Expresses its willingness* to reconsider any changes to the UNMEE mandate in light of subsequent developments in the implementation of the Algiers Agreements;

12. *Calls* on Member States to provide contributions to the Trust Fund, established pursuant to Resolution 1177 (1998) and referred to in Article 4 (17) of the Peace Agreement of 12 December 2000;

13. *Expresses* its deep appreciation for the contribution and dedication of the troop-contributing countries to the work of UNMEE;

14. *Decides* to remain actively seized of the matter.

United Nations S/2008/50

Security Council

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30 January 2008
English
Original: English/French

Draft resolution

The Security Council,

Recalling its resolutions and the statements of its President concerning the Democratic Republic of the Congo, in particular resolutions 1756 (2007) and 1794 (2007),

Reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

Recalling the importance of elections, including the forthcoming local elections, for the longer term restoration of peace and stability, national reconciliation and establishment of the rule of law in the Democratic Republic of the Congo,

Encouraging international partners to continue to support the electoral process in the Democratic Republic of the Congo,

Welcoming the letters of the Secretary-General dated 11 October and 30 November 2007 (S/2007/694) and the recommendations contained in the twenty-fourth report of the Secretary-General on MONUC dated 14 November 2007 (S/2007/671) with respect to assistance by MONUC to the Congolese authorities in the organization, preparation, and conduct of local elections,

1. *Authorizes* MONUC, in close coordination with international partners and the United Nations Country Team, to provide assistance to the Congolese authorities, including the National Independent Electoral Commission, in the organization, preparation and conduct of local elections, as recommended in the letters of the Secretary-General dated 11 October and 30 November 2007;

2. *Decides* to remain actively seized of the matter.

08-22258 (E) 300108

United Nations S/2008/51

Security Council

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30 January 2008

Original: English

Letter dated 22 January 2008 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council which will be held on Wednesday, 30 January 2008, regarding the situation in the Middle East, including the Palestinian question.

(*Signed*) Dr. Riyad **Mansour**
Ambassador
Permanent Observer

08-22154 (E) 300108

United Nations S/2008/52

Security Council

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29 January 2008

Original: English

Letter dated 25 January 2008 from the Secretary-General to the President of the Security Council

I have the honour to refer to the United Nations Mission in the Central African Republic and Chad (MINURCAT) established pursuant to Security Council resolution 1778 (2007) of 25 September 2007. I should like to inform you that I intend to appoint Mr. Victor Da Silva Angelo (Portugal) as my Special Representative and Head of MINURCAT.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-22117 (E) 300108

United Nations S/2008/53

Security Council

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29 January 2008

Original: English

Letter dated 29 January 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 25 January 2008 (S/2008/52) concerning your intention to appoint Mr. Victor Da Silva Angelo (Portugal) as your Special Representative and Head of the United Nations Mission in the Central African Republic and Chad (MINURCAT) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Giadalla A. **Ettalhi**
President of the Security Council

08-22123 (E) 300108

United Nations S/2008/54

Security Council

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29 January 2008

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Letter dated 29 January 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations addressed to the President of the Security Council

Upon instruction from my Government, I have the honour to bring two important matters to your attention at a time when the Security Council is considering the report of the Secretary-General on Ethiopia and Eritrea (S/2008/40).

1. The "border issue" between Eritrea and Ethiopia has come to a conclusion, in accordance with article 4.2 of the Algiers Peace Agreement of 12 December 2000. The border, as delimited by the Eritrea-Ethiopia Boundary Commission in its Award of 13 April 2002, was finally demarcated pursuant to the Border Commission's statement of 27 November 2006.[1] Following the delimitation decision, the final and binding demarcation of the boundary was expected to be completed within a six-month period. However, the process was held hostage by Ethiopia for nearly six years at a great human and financial cost.

The process of the final and binding demarcation has now been completed. The Boundary Commission has affirmed that the "boundary between Eritrea and Ethiopia now stands automatically demarcated by boundary points listed in the annex to the 27 November 2006 statement, and [it] considers that it has fulfilled the mandate given to it". The Boundary Commission has officially presented the maps indicating the boundary coordinates between Eritrea and Ethiopia to the two countries and the United Nations. In its twenty-sixth report, the Boundary Commission has also reaffirmed "the considerations of fact and statements of law set out in its statement of 27 November 2006". In the same statement, the Boundary Commission has clearly stated that "[t]he Delimitation Decision of 13 April 2002 and the Statement of 27 November 2006 remain binding on the Parties". It is to be recalled that under the Algiers Agreement, Eritrea and Ethiopia have agreed to accept the delimitation and demarcation determination of the Boundary Commission as "final and binding". This has also been recognized by the Security Council on several occasions.[2]

[1] In its resolution 1741 (2007) of 30 January 2007, the Council acknowledged the statement.

[2] Among many such statements, the Council in its resolution 1741 (2007) recalled "that both parties have agreed to accept the delimitation and demarcation determinations of the Eritrea-Ethiopia Boundary Commission as final and binding".

08-22104 (E) 290108

The final and binding delimitation and demarcation of the boundary is exclusively the mandate of the Boundary Commission. Therefore, no State or body has the right to intervene in the process of delimitation and demarcation of the boundary or try to change the decisions of the Commission.

The characterization of the Border Commission's final and binding decision as "legal nonsense" and "legal fiction" by Ethiopia and its appeasers, although of little significance, is outrageous. These statements not only contravene the Algiers Agreement but also insult the wisdom of the Commission, which is composed of legal experts of the highest esteem. These manoeuvres, which seem to be aimed at creating an alternative mechanism, have no relevance at this stage when the final and binding demarcation process has been concluded.

The issue that requires the Council's urgent attention is Ethiopia's continued occupation of sovereign Eritrean territory in violation of the Algiers Agreement, the Charter of the United Nations and relevant principles of international law. My Government strongly urges the Security Council to focus on the fundamental issue of Ethiopia's withdrawal from sovereign Eritrean territory. This issue is of paramount importance for the maintenance of peace and security between the two countries and the region.

2. In total disregard of Eritrea's previous protests and concerns, the report of the Secretary-General on Ethiopia and Eritrea (S/2008/40) was presented on 26 January 2008 by the "Acting Special Representative of the Secretary-General" for the United Nations Mission in Ethiopia and Eritrea who is based in Addis Ababa. I wish to convey, once again, my Government's strong protest over this matter, which should have been resolved when Eritrea initially expressed its concern and disapproval (in S/2006/1036 and in a letter dated 15 February 2007 to the President of the Security Council) about this particular United Nations official.

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Tesfa Alem **Seyoum**
Chargé d'affaires a.i.

United Nations A/62/667–S/2008/55

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30 January 2008

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General Assembly
Sixty-second session
Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Identical letters dated 28 January 2008 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write in connection with the letter dated 17 January 2008, from the Permanent Representative of Cuba to the United Nations, on behalf of the Coordinating Bureau of the Non-Aligned Movement, addressed to the Secretary-General (A/62/652-S/2008/28).

The Non-Aligned Movement's condemnation of the recent situation in the Gaza Strip and its pointed blame of Israel demonstrate a failure to adequately understand the realities on the ground. In 2005, Israel disengaged from the Gaza Strip with the hope that the Palestinian Authority would govern the area responsibly. Regrettably this did not happen, and more than 4,200 Qassam rockets and mortar shells have been fired by Palestinian terrorists in Gaza at the civilian population in southern Israel since then.

Palestinian terrorism, stewarded by Hamas in the Gaza Strip, makes security measures in the area a necessity in order to adequately protect Israeli civilians. Hamas cynically fires on border-crossings, forcing closures and hampering the efforts of Israel and the international community to deliver humanitarian aid and relief. Recently, Hamas has even attempted to smuggle explosives and weapons materiel into Gaza using humanitarian convoys. Moreover, Hamas diverts fuel from domestic generators to produce Qassam rockets. In contrast, Israel allows electricity and fuel, as well as medicines, into the Gaza Strip.

Israel will defend itself from all armed attacks, as any other nation would, according to its inherent right under article 51 of the Charter of the United Nations. Israel has repeatedly pressed the United Nations to denounce all acts of violence and terrorism, and condemn States that aid and abet terrorists groups, which is a violation of their obligations under international law, in particular Security Council resolution 1373 (2001), among other resolutions. Yet the violence and support for terrorism continues unabated.

08-22160 (E) 310108

My delegation fully believes that responsible members of the international community can play a constructive role by supporting the bilateral process between Israel and the Palestinian Authority. This means, however, taking a balanced approach to the conflict and not a one-sided stance on the issues, as the statement of the Movement of Non-Aligned Countries unfortunately reflects. Indeed, we saw the harmful effects of one-sided rhetoric in the recent resolution adopted by the Human Rights Council in Geneva. Clearly, such initiatives do not benefit peace and threaten the possibility for reconciliation and agreement between the two sides.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 17 and 18, of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

United Nations A/62/666–S/2008/56

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Letter dated 25 January 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 25 January 2008, addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Baki İlkin
Ambassador
Permanent Representative

08-22172 (E) 010208

Annex to the letter dated 25 January 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to refer to the statement made by the representative of the Greek Cypriot administration to the Third Committee on 31 October 2007 (see A/C.3/62/SR.33), under agenda item 70 (b), "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", which contains false allegations against the Turkish Republic of Northern Cyprus. Since the Greek Cypriot side is habitually utilizing every opportunity to distort facts pertaining to the question of Cyprus in every international forum where the Turkish Cypriot side is denied lawful representation, I am compelled to respond, once again, in writing in order to put the record straight.

Throughout the many years following the Greek Cypriot destruction of the 1960 partnership Republic of Cyprus, the Greek Cypriot side has managed to misinform the international community and to portray the Cyprus problem as one of "invasion" and "occupation", while disguising the torment and unjust isolation inflicted on the Turkish Cypriot people. The restrictions imposed by the Greek Cypriot side violating the basic human rights of Turkish Cypriots in various fields, such as the rights to freely trade and travel, participate in worldwide sports, cultural events and educational schemes, such as the Bologna Process, are continuing and efforts to rectify this situation by various parties are still impeded by the Greek Cypriot side. A case in point is the incessant efforts of the Greek Cypriot administration directed towards Syria with the aim of halting the ferry services which have begun between the ports of Famagusta, Turkish Republic of Northern Cyprus, and Latakia, Syria.

None of the United Nations resolutions to which reference is made in the above-mentioned statement describe the legitimate and justified Turkish intervention of 1974, undertaken in accordance with the Treaty of Guarantee of 1960, as "aggression" or "invasion", or the subsequent presence of Turkish troops on the island as "occupation". Such distortions are purely a Greek Cypriot invention aimed at blurring the issue and confusing the innocent with the guilty. On this point, I would only like to recall the dramatic statement made by Archbishop Makarios, the Greek Cypriot leader at the time, before the Security Council on 19 July 1974 (see S/PV.1780), in which he openly accused Greece, not Turkey, of invading and occupying Cyprus. His remarks, which came only four days after the Greek Cypriot coup of 15 July 1974, are well recorded in the annals of the United Nations and hardly require further elaboration.

The years from 1963 to 1974, which my Greek Cypriot colleague chooses not to mention, were a period in which the Greek Cypriots, aided and abetted by Greece, practised ethnic cleansing, terrorism and tyranny against the Turkish Cypriots, all in the name of enosis (annexation of the island to Greece). The atrocities committed by the Greek Cypriots during that period drew comments from the international news media, such as *The Washington Post*, which reported in its issue of 17 February 1964 that "Greek Cypriot fanatics appear bent on a policy of genocide"; from prominent statesmen like George Ball, the United States Under-Secretary of State at the time, who wrote in his memoirs, entitled *The Past Has Another Pattern* (p. 64), that "Makarios's central interest was to block off Turkish intervention so that he and his Greek Cypriots could go on happily massacring Turkish Cypriots"; and from the

United Nations Secretary-General himself, who, in his report to the Security Council of 10 September 1964, stated that the Turkish Cypriots were living under "veritable siege" (see S/5950, para. 222). The attempt by Greek Cypriot officials to brush aside the 11-year-long ordeal of the Turkish Cypriots is, to say the least, outrageous. It shows their total insincerity and refusal to show any sign of remorse or an attitude conducive to reconciliation.

As you would recall, the most recent effort, namely the Annan Plan, failed yet again as a result of the Greek Cypriot rejection. The Plan was submitted for the approval of the two sides through separate referendums on 24 April 2004. Despite the significant sacrifices it entailed for the Turkish Cypriot side, the Turkish Cypriot people approved the Plan by 65 per cent of the vote, whereas 76 per cent of the Greek Cypriot people overwhelmingly rejected the Plan in line with the call made by the Greek Cypriot leader, Tassos Papadopoulos, in a television address on 7 April 2004, where he demanded a "resounding no" from the Greek Cypriots.

The results of the referendums have shown which side is for a solution and which side is for the continuation of the present situation. The rejection by the Greek Cypriot side of the Plan, however, also resulted in an unjust situation. The Greek Cypriot side, which voted against a solution, joined the European Union on behalf of the whole of Cyprus, and the Turkish Cypriot side, which voted for a settlement, not only remained outside EU but continues to be subjected to isolation and restrictions. In fact, the Secretary-General of the United Nations, in his report to the Security Council of 28 May 2004 (S/2004/437, para. 90), pointed to this injustice and declared that the Turkish Cypriot "*vote has undone whatever rationale might have existed for pressuring and isolating them*".

In spite of the fact that the Annan Plan provided the Greek Cypriot people with concrete advantages at the expense of the Turkish Cypriots, the Greek Cypriot administration, which chose to categorically reject the Plan, still has the audacity to complain about the so-called "violation of human rights concerning the property issue", the "Turkish military presence on the island" and other matters. In this regard the Secretary-General's observation is important:

> *"The rejection of such a plan by the Greek Cypriot electorate is a major setback. What was rejected was the solution itself rather than a mere blueprint. Benefits for the Greek Cypriots which have been sought for decades — including the reunification of Cyprus, the return of a large swathe of territory, the return of most displaced persons to their homes (including a majority, some 120,000, under Greek Cypriot administration), the withdrawal of all troops not permitted by international treaties, the halting of further Turkish immigration and (if Greek Cypriot figures are accurate) the return to Turkey of a number of 'settlers'— have been foregone."*
>
> (Secretary-General's report of 28 May 2004, S/2004/437, para. 83)

Contrary to the Greek Cypriot representative's allegations, the history of human rights violations in Cyprus goes back a long time. Parallel to that, the issue of "refugees" or displaced persons came about when one fourth of the Turkish Cypriot population was rendered homeless as from December 1963, when they had to flee for their lives as a result of the Greek Cypriot onslaught. It is true that many Turkish Cypriots as well as Greek Cypriots were displaced in 1974 as a result of the Greek coup d'état and its aftermath. It is equally true, however, that the question of

displaced persons was settled through the Voluntary Exchange of Populations Agreement reached between the two sides at the third round of talks, held at Vienna in 1975. The Agreement was implemented under the supervision of the United Nations Peacekeeping Force in Cyprus.

With respect to the so-called "enclaves" in the Turkish Republic of Northern Cyprus, I wish to recall that the term "enclaved" was first used by the Secretary-General of the United Nations to describe the plight of the Turkish Cypriots between 1963 and 1974, who had been squeezed by the Greek Cypriots into small pockets scattered around the island. The total area of the Turkish Cypriot enclaves was a mere 3 per cent of the territory of the island. Since 1974, the Greek Cypriot side has attempted to hijack this term to misrepresent the living conditions of the Greek Cypriots and Maronites residing in the Turkish Republic of Northern Cyprus, for purely propaganda purposes.

One should note that the Greek Cypriots and Maronites enjoy the same, if not better, standard of living as the Turkish Cypriots of the same area. This has been confirmed in your predecessor's report of 10 June 1998 to the Security Council (S/1998/488, para. 22), wherein it is stated that "the standard of living of Greek Cypriots on the Karpas Peninsula does not differ significantly from that of Turkish Cypriots living in the same area".

One of the most fundamental issues in the Cyprus question is the property issue. The property issue in Cyprus did not come about in 1974 but first arose in 1963, when the Turkish Cypriots were forced to abandon their homes at gunpoint and took refuge in what came to be known "Turkish Cypriot Enclaves". It should be stressed that it is not only the Greek Cypriots who left immovable property in the North but also the Turkish Cypriots who had to abandon a considerable amount of property in the South as well, most of which was confiscated by the Greek Cypriot administration, leaving no possibility for restitution and/or compensation for the Turkish Cypriots for the use and enjoyment of their properties. Instead of seeking to resolve the issue with the Turkish Cypriot side in accordance with established parameters, the Greek Cypriot side has over the years encouraged recourse to the European Court of Human Rights in a bid to carry the issue to the European platform. As in the case of *Apostolides v. Orams* (para. 13), the Greek Cypriot side's unilateral accession to the European Union has presented it with the opportunity to further complicate the issue of property rights by encouraging recourse to courts in the South against those buying or selling property in the North. Given the fact that the Greek Cypriot side does not have jurisdiction over the Turkish Cypriot side, it is clear that judgements issued by the Greek Cypriot courts cannot be executed in the North.

In the absence of cooperation from the Greek Cypriot side, since June 2003 the Turkish Cypriot side has been taking unilateral steps aimed at providing domestic legal remedies to the concerned parties. In this connection, taking into account the admissibility decision of the European Court of Human Rights of 14 March 2005 and its judgement of 22 December 2005 on the merits of the *Xenides-Arestiis v. Turkey* application, the law entitled "Law for the Compensation, Exchange and Restitution of Immovable Properties (Law No. 67/2005)" was enacted in North Cyprus in December 2005. This law envisages compensation, exchange and restitution for movable and immovable properties located within the boundaries of the Turkish Republic of Northern Cyprus which were possessed by the Greek

Cypriots before 1974 and were abandoned thereafter. In accordance with this legislation, the Immovable Property Commission was established on 22 March 2006, the mechanism of which is entirely based on the comprehensive guidelines suggested by the European Court of Human Rights. The Commission, which comprises seven members, two of whom are internationally renowned personalities of non-Turkish descent, has the status of a court and its decisions are binding and implemented just as the decisions of the judiciary.

It must be noted in this context that the reaction of the Greek Cypriot administration to the establishment of the Immovable Property Commission has not been encouraging; that administration has threatened to take legal action against potential applicants. Sadly, the Greek Cypriot authorities are attempting to undermine an effective legal instrument which conforms fully to relevant international norms. It is noteworthy in this regard that the very recent *Turkey 2007 Progress Report*, published by the Commission of the European Communities on 6 November 2007 (SEC(2007) 1436, p. 25), notes the following:

> "In its follow-up decision of December 2006, the Court [ECHR] accepted, in principle, the Immovable Property Commission established by the Turkish Cypriot Community as a legitimate domestic remedy."

As to the well-known allegation of "destruction of cultural property", I would like to reiterate once again that the protection of cultural heritage is of great importance to the Turkish Cypriot people, and the Turkish Cypriot authorities are doing everything with their limited means for the restoration and preservation of the cultural wealth in the North. No doubt, much more could be done with international financial support. It is a sad irony that the Turkish Cypriot people are heavily criticized for not taking sufficient care of the cultural heritage in the North, when international organizations or private bodies entrusted for the financial assistance in this field have been prevented by the Greek Cypriot administration from taking an interest in or providing assistance to the North. The protection of cultural heritage should not be held hostage by the political situation on the island, for which Turkish Cypriots cannot be held responsible. Furthermore, it should be recalled that there are many Turkish-Muslim cultural monuments, including mosques, baths, fountains and cemeteries, in the Greek Cypriot side that are in very bad condition owing to rough handling, negligence and wilful destruction.

In conclusion, I would like to reiterate the Turkish Cypriot side's firm commitment to the comprehensive settlement of the Cyprus problem under the auspices of your good offices mission and on the basis of the United Nations Settlement Plan.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

United Nations S/2008/57

Security Council

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Letter dated 30 January 2008 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to address you, in your capacity as President of the Security Council during the month of January, with regard to the debate on the situation in the Middle East, including the Palestinian question, held by the Council today.

Once again, the Security Council rejected a legitimate request of the Non-Aligned Movement to participate in the organ's deliberations, thus preventing the Movement from expressing its views and formulating proposals. It is worth mentioning that the Non-Aligned Movement consists of 118 States Members of the United Nations, including the overwhelming majority of the States in the Middle East.

The Security Council's decision is yet another case in point of its lack of transparency and it further confirms the need to carry out an urgent and thorough reform of this organ, including its working methods.

The Non-Aligned Movement is fully aware of the fact that you, in your capacity as President of the Security Council, and the delegation of the Libyan Arab Jamahiriya have fully supported the Non-Aligned Movement's legitimate right to express its positions before the Security Council when highly relevant issues for the Movement are addressed, such as in this case. We know that other Council members strongly support such a right. Hence, it is unfortunate that certain permanent members refuse to allow our opinions and proposals to be heard.

I would very much appreciate it if the present letter and its annex, containing the statement that Cuba was to deliver on behalf of the Non-Aligned Movement at the aforementioned debate, were circulated as a document of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative of Cuba to the United Nations
Chairman of the Coordinating Bureau of the Non-Aligned Movement

08-22387 (E) 040208

Annex to the letter dated 30 January 2008 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

Statement by Rodrigo Malmierca Díaz, Permanent Representative of Cuba, in his capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement at the Security Council debate on the situation in the Middle East, including the Palestinian question, New York, 30 January 2008

I have the honour to address the Security Council on behalf of the Non-Aligned Movement.

Despite recent developments in the international arena regarding the revival of the Middle East peace process and the resumption of bilateral negotiations between the Israeli and Palestinian sides for the first time in more than seven years, the situation on the ground continues to deteriorate and to be marked by deadly violence, instability and high tensions. In grave breach of international law and in contradiction to the peace process, Israel, the occupying Power, continues, inter alia, to carry out military attacks against the Palestinian people in the Occupied Palestinian Territory, particularly in the Gaza Strip, continues to expand its illegal settlements and to construct the Wall in the West Bank, including in and around Occupied East Jerusalem, and continues to impose closures and movement restrictions, including via its siege of the Gaza Strip, where the isolated and imprisoned Palestinian civilian population continues to suffer from a dire humanitarian crisis. At the same time, the situation in Lebanon remains complex and the Israeli occupation of the Syrian Golan continues.

All of these realities affect not only the Middle East region, but the entire international community for they seriously impact the prospects for peace, security and stability in the region and beyond.

While aware of the recent efforts that have been exerted to advance the cause of peace, the Movement strongly believes that the absence of respect for international law by the occupying Power continues to be the major obstacle to the success of efforts to achieve a just, lasting and comprehensive peace. In this connection, the Movement reiterates its regret that for more than 40 years the Palestinian people have been suffering under the brutal Israeli military occupation and colonization of their land since 1967 and that they continue to be denied their fundamental human rights, including the right to self-determination and the right of the Palestine refugees to return, in accordance with international law and the relevant United Nations resolutions.

The toll of human lives, injured, displaced, homeless, impoverished and those without access to basic needs in the Occupied Palestinian Territory continues to increase at an alarming rate. The poverty rate is currently at 65.8 per cent in the Occupied Palestinian Territory, reaching a total of more than 79 per cent of the population in the Gaza Strip. The continuing Israeli closures and restrictions on the movement and access of persons and goods, including humanitarian and medical, has made Palestinian economic recovery nearly impossible and continues to aggravate the prevailing humanitarian crisis.

Moreover, Israel, in contravention of the advisory opinion of the International Court of Justice and in violation of General Assembly resolution ES-10/15 of 20 July 2004, which reaffirms the illegality of the construction of the Wall in the Occupied Palestinian Territory, including East Jerusalem, continues to build that Wall and to impose an associated permit regime. The Non-Aligned Movement remains seriously concerned by the huge physical, economic and social devastation caused by the Wall, which is dividing the Occupied Palestinian Territory into separate, walled-in enclaves and severing East Jerusalem from the rest of the Territory, completely undermining the unity, integrity and contiguity of the Palestinian Territory; destroying entire communities; displacing thousands of Palestinian civilians and isolating tens of thousands more Palestinians in isolated cantons.

NAM reiterates its call for Israel, the occupying Power, to cease all of its violations against the Palestinian people in the Occupied Palestinian Territory and to abide scrupulously by its obligations under international law, including humanitarian and human rights law.

The Government of Lebanon has continuously endeavoured to stabilize the situation in its territory following Israel's relentless aggression and serious violations of the territorial integrity and sovereignty of Lebanon.

The Non-Aligned Movement reiterates its satisfaction with the steps undertaken by the Lebanese Government to implement Security Council resolution 1701 (2006), particularly through the deployment of the Lebanese Armed Forces in the region south of the Litani River and along the Blue Line. The Movement also welcomes the deployment of the Lebanese Armed Forces along the northern and eastern borders of Lebanon in order to ensure security and stability at the borders.

The Movement remains deeply concerned by the ongoing Israeli air and land violations of the Blue Line in breach of resolution 1701 (2006). We strongly call on Israel to end the occupation of the northern part of Al-Ghajar, on the northern side of the Blue Line, to immediately refrain from any violation of Lebanese sovereignty and of resolution 1701 (2006) and to refrain from any provocation to the Lebanese Armed Forces or the United Nations Interim Force in Lebanon. NAM calls for the prompt settlement of the question of the Shebaa farms in full respect for Lebanese territorial integrity, as stipulated in resolution 1701 (2006). We call upon all parties to cooperate in protecting Lebanon's sovereign rights in that area and note the important endeavours of the United Nations Secretary-General in this regard.

The Movement is acutely aware of the enormous challenge facing Lebanon resulting from the 1.2 million cluster munitions launched by Israel during its aggression against Lebanon in 2006. The Movement condemns once again the use of such weaponry by Israel and deplores the death toll resulting from them. The Non-Aligned Movement strongly calls upon Israel to provide the exact location of those deadly weapons and the maps of mines planted during its occupation of southern Lebanon.

The Movement expresses its support for the integrated plan of action contained in the statement of the Arab League Foreign Ministers of 5 January on Lebanon. And in this regard, the Movement commends the efforts by the Arab League Secretary-General to carry out this plan.

NAM reaffirms that all measures and action taken, or to be taken by Israel, the occupying Power, which purport to alter the legal, physical and demographic condition and institutional structure of the Occupied Syrian Golan, as well as the Israeli measures to impose jurisdiction and administration there, are null, void and without legal effect.

We also reaffirm that all these measures and actions, including the illegal construction and expansion of the Israeli settlements in the Syrian Golan since 1967, constitute violations of international law, international agreements, the United Nations Charter and resolutions, including Security Council resolution 497 (1981), and the Fourth Geneva Convention, and a challenge to the international community. The Movement demands that Israel abide by resolution 497 (1981) and withdraw completely from the Occupied Syrian Golan to the borders of 4 June 1967.

NAM hopes that the recent international efforts will effectively contribute to the achievement of a comprehensive, just, lasting and peaceful settlement, based on the relevant United Nations resolutions and in accordance with the rules and principles of international law.

NAM also expresses its hope that these efforts will ultimately bring an end to the occupation of all of the Arab territories occupied by Israel since 1967 that remain occupied, namely the Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan, and will lead to the establishment of the independent State of Palestine, with East Jerusalem as its capital, as well as a just solution to the question of refugees on the basis of General Assembly resolution 194 (III).

The Non-Aligned Movement reaffirms its support for the Middle East peace process, on the basis of Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002) and 1515 (2003), and the principle of land for peace. Likewise, we reject attempts to alter the mandate of the peace process and the imposition of unilateral measures and strategies aimed at the imposition by Israel, the occupying Power, of an illegal unilateral solution.

NAM will continue to support and contribute in all possible aspects towards the achievement of a just, comprehensive and lasting peace in the Middle East, based on all relevant United Nations resolutions, the Arab Peace Initiative and the Road Map.